

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

**Alexander R. Deanda**, on behalf of himself and others similarly situated,

Plaintiff,

v.

**Xavier Becerra**, in his official capacity as Secretary of Health and Human Services; **Jessica Swafford Marcella**, in her official capacity as Deputy Assistant Secretary for Population Affairs; **United States of America**,

Defendants.

Case No. 2:20-cv-00092-Z

**MOTION FOR SUMMARY JUDGMENT**

Plaintiff Alexander R. Deanda respectfully moves for summary judgment, as there are no genuine issues of material fact and the plaintiff is entitled to judgment as a matter of law.

**SUMMARY**

In conformity with Local Rule 56.3(a)(1), Mr. Deanda states the elements of each claim on which summary judgment is sought:

**Claim 1: The Title X statute (42 U.S.C. § 300(a)) does not preempt section 151.001(6) of the Texas Family Code.** To prevail on this claim, Mr. Deanda must show that there is no conflict between the requirements of 42 U.S.C. § 300(a)) and the requirement of section 151.001(6) of the Texas Family Code.

**Claim 2: The Secretary's interpretation of 42 U.S.C. § 300(a)) and his administration of the Title X program violates the constitutional right of parents to direct the upbringing of their children.** Parents have a constitutional right to

direct the upbringing of their children. *See Pierce v. Society of Sisters*, 268 U.S. 510 (1925); *Meyer v. Nebraska*, 262 U.S. 390 (1923). To prevail on this claim, Mr. Deanda must show that the Secretary's interpretation of 42 U.S.C. § 300(a)) and his administration of the Title X program violates the constitutional right of parents to direct the upbringing of their children.

The accompanying brief sets forth our arguments and authorities. A proposed order is attached.

Respectfully submitted.

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**CERTIFICATE OF SERVICE**

I certify that on July 25, 2022, I served this document through CM/ECF upon:

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